SINGLE BENCH

C.F. 1001 —

2 (4)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

(CHHATTISGARH)

WRIT PETITION (S) NO. 3576 OF 2006

PETITIONER : Guru Narayan Dubey, aged about 59 years, Son of Late Shri Salik Dubey, Working as Forester, Resident of Takiya Road, Ambikapur, District Surguja (C.G.).

P.R. No. 3646/06
Presented by Shri V.K. Pandey
dated 17/7/06

VERSUS

RESPONDENTS :

1. State of Chhattisgarh, Through: The Secretary, Department of Forest, D.K.S. Bhawan, Raipur (C.G.).

2. The Under Secretary, Department of Forest, D.K.S. Bhawan, Raipur (C.G.).

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17/7/06
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3. The Divisional Forest Officer, South Surguja Division, Ambikapur, District Surguja (C.G.).

4. Salikgram Prasad Soni, Forester, Range Sonhat, Baikunthpur, District Korea (C.G.).

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN THE NATURE OF MANDAMUS, CERTIORARI, PROHIBITION ETC.

XI-HC-78

(34)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ....WP...3576/06..... **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

20.7.2006

Shri V.K. Pandey, Advocate for the petitioner.

Miss Deepali Pandey, P.L.. for the State on advance copy.

Heard.

By this petition the petitioner has challenged his transfer order dated 6.7.2006 (Annexure P-1) whereby he has been transferred from Dhourpur Range, East Sarguja, Division Ambikapur to Guru Ghasidas National Park, Baikunthpur Divisoin, District Koriya.

Learned counsel for the petitioner submitted that only 10 months are left in attaining the age of superannuation and at the fag end of career the petitioner has been transferred, which is contrary to the policy of the Government. As per policy of the Government, the employees retiring within a year should not normally be transferred and moreover, the petitioner is suffering from the ailment of Gall Bladder. Therefore, he submits that the petitioner may be allowed to make a representation to respondent No.1 and in turn respondent No1 be directed to decide the same in accordance with law, to which counsel for the State has no objection.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, without expressing any opinion on the merits of the case, the petitioner is allowed to make a detailed representation to respondent No.1 within 10 days from today along with copy of this petition and in turn, respondent No.1 to decide the representation of petitioner within 30 days from the date of receipt of representation after considering all the points raised by the petitioner in accordance with law. Till the decision of representation, the effect & operation of order dated 6.7.2006 (Annexure P-1) in respect of the petitioner shall remain stayed.

With the direction aforesaid, the petition stands disposed of.

Consequently, M.(W.)P.No.2764/06 also stands disposed of.

Certified copy as per rules.

Sd/-
L.C. Bhadoo
Judge

Roshan/-

P.T.O.